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April 30, 2008

VIA EFILING AND OVERNIGHT MAIL

Honorable Sidney H. Stein, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Friedman v. Prudential Insurance Company of America
Docket No.: 07 Civ. 9620 (SHS)
Client-Matter No. 063331.0076

Dear Judge Stein:

This firm is counsel to Defendant Prudential Insurance Company of America (“Prudential”) with reference to the above-captioned matter. I recently commenced my employment with this firm and have been assigned to handle this matter.

In accordance with Your Honor’s Order of January 25, 2008, a copy of which is attached hereto, the parties filed cross motions for summary judgment on April 15, 2008. Plaintiff requested and was granted leave to file an oversized brief in support of his motion. Prudential did not oppose that request.

Responses to the cross motions are to be filed on May 6, 2008 with final replies to be filed on May 13, 2008. On behalf of my client, I would respectfully request that the briefing schedule be slightly modified to provide that responses are due by May 9, 2008 and final replies are due on May 16, 2008. The reason for this request is that in addition to my just recently commencing my employment with this firm, I am also scheduled to be out of the office over the next several days.

Additionally, since filing the motions, the parties have reopened a dialogue regarding settlement of this matter. To give the parties sufficient time to determine whether settlement is feasible and to avoid incurring additional attorney’s fees in the interim, I suggested to plaintiff’s

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counsel, Michael Quiat, Esq. that a brief adjournment of the motion briefing schedule would be helpful. Mr. Quiat graciously consented to my request.

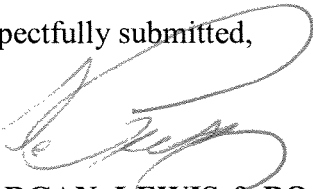
It is respectfully submitted that the short extension of the briefing schedule will allow me the opportunity to fully respond to plaintiff's motion, if necessary, as well as permit the parties to explore settlement without the necessity of incurring additional attorney's fees and costs.

I would therefore respectfully request that Your Honor grant the relief sought herein and modify the dispositive motion briefing schedule as follows:

1. Responses to the summary judgment motions are due on or before May 9, 2008; and
2. Replies to the summary judgment motions are due on or before May 16, 2008.

I am available to discuss this matter in greater detail at (215) 963-5405, should Your Honor believe it would be helpful. On behalf of Prudential, I thank Your Honor for your anticipated courtesies and cooperation in this matter.

Respectfully submitted,



MORGAN, LEWIS & BOCKIUS LLP

Seth Ptasiwicz

SP/SP:ps

Enclosure

c: Michael Quiat, Esq. (via efilng and overnight mail)

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

EDWARD A. FRIEDMAN, : 07 Civ. 9620 (SHS)

Plaintiff, :

-against- : ORDER

PRUDENTIAL INSURANCE COMPANY OF :
AMERICA, :

Defendant. :

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SIDNEY H. STEIN, U.S. District Judge.

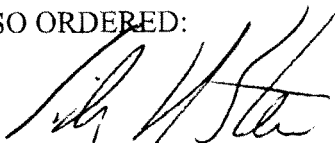
A pretrial conference having been held today, with counsel for all parties participating by telephone,

IT IS HEREBY ORDERED that:

1. The last day for completion of discovery is February 29, 2008;
2. Cross motions for summary judgment are due on or before April 15, 2008;
3. Responses to the summary judgment motions are due on or before May 6, 2008;
4. Replies to the summary judgment motions are due on or before May 13, 2008; and
5. If no motions are made the parties shall notify the Court, in writing, to schedule a pretrial conference.

Dated: New York, New York
January 25, 2008

SO ORDERED:



Sidney H. Stein, U.S.D.J.